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Attorneys for Plaintiff  
DAVID KAYNE

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

DAVID KAYNE, an individual citizen of  
Georgia,

Plaintiff,

v.

THE THOMAS KINKADE COMPANY,  
formerly known as MEDIA ARTS  
GROUP, INC., a Delaware Corporation,,

Defendant.

CASE NO. C 07-4721 (SI)

**STIPULATED REQUEST FOR  
CONTINUANCE OF CASE MANAGEMENT  
CONFERENCE DATE**

STIPULATION

(No. 07-4721 (SI))

McDERMOTT WILL & EMERY LLP  
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**STIPULATED REQUEST FOR CONTINUANCE**

Plaintiff David Kayne ("Kayne") and Defendant The Thomas Kinkade Company ("TKC") hereby stipulate and submit the following joint request for continuance:

WHEREAS, Kayne commenced this case by filing a complaint (the "Complaint") on September 12, 2007;

WHEREAS, TKC filed a motion to dismiss (the "Motion to Dismiss") and a motion to strike (the "Motion to Strike") on October 4, 2007;

WHEREAS, the Motion to Dismiss and Motion to Strike were originally set by this Court for hearing on December 7, 2007;

WHEREAS, the case management conference (the "Case Management Conference") in this matter was also set for hearing on December 7, 2007;

WHEREAS, on November 27, 2007, the Court moved the hearing date for the Motion to Dismiss and Motion to Strike to December 18, 2007 due to the Court's unavailability on December 7, 2007;

WHEREAS, the Case Management Conference has not been rescheduled and is currently set for hearing on December 7, 2007;

WHEREAS, counsel for TKC is located in Los Angeles, California;

WHEREAS, counsel will be required to travel to San Francisco on two separate occasions under the schedule as currently set, resulting in substantial additional expenditure of time and money;

WHEREAS, Kayne and TKC desire to stipulate to reschedule the Case Management Conference on the terms and conditions set forth herein.

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STIPULATION

1 NOW THEREFORE, Kayne and TKC by and through their counsel jointly request that the Court  
2 reschedule the Case Management Conference as follows:

3 The Case Management Conference currently scheduled for December 7, 2007 at 2:00 p.m.  
4 be continued to December 18, 2007 at 2:00 p.m., or such other time on December 18, 2007 that  
5 the Court deems convenient.

6  
7 Dated: November 27, 2007

HOLLAND & KNIGHT LLP  
CHARLES L. COLEMAN, III  
ANDREW T. CAULFIELD

9 By: 

Charles L. Coleman, III  
Attorneys for Plaintiff  
DAVID KAYNE

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12 Dated: November 27, 2007

McDERMOTT WILL & EMERY LLP  
DANA N. LEVITT, PC  
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JASON D. STRABO

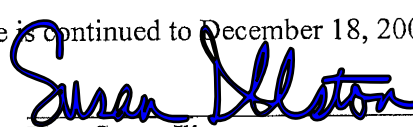
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15 By: 

Charles E. Weir  
Attorneys for Defendant  
THE THOMAS KINKADE COMPANY

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19 IT IS SO ORDERED.

20 The date for the Case Management Conference is continued to December 18, 2007 at 9:00 a.m.

21 Dated: \_\_\_\_\_

  
Hon. Susan Illston

United States District Court Judge